

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**In Re:**

**MARK L. ABBOTT, and wife,  
MOLLY SUSAN ABBOTT**

**Debtors.**

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**Case No. 20-10066-12**

**APPLICATION FOR FINAL DECREE AND REQUEST FOR DISCHARGE**

**This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 24 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing.**

**Represented parties should act through their attorney.**

TO THE HONORABLE EDUARDO V. RODRIGUEZ, U.S. BANKRUPTCY JUDGE:

NOW COME, MARK L. ABBOTT and MOLLY SUSAN ABBOTT (the “Debtors”), the Debtors in the above-referenced bankruptcy proceeding, and file this Application for Final Decree and Request for Discharge and would respectfully show the Court as follows:

1. The Debtors, MARK L. ABBOTT And MOLLY SUSAN ABBOTT, filed a petition for relief under the provisions of Chapter 12 of the United States Bankruptcy Code on February 19, 2020.

3. Debtors’ Amended Chapter 12 Plan of Reorganization and Motion for

Valuation of Collateral [Docket #121] (the “Plan”) was considered for confirmation by the Court at a hearing held on August 5, 2020, in the U.S. Bankruptcy Courtroom in Brownsville, Texas, and was confirmed by entry of the Order Modifying and Confirming Debtors’ Amended Chapter 12 Plan of Reorganization [Docket #123] (“Confirmation Order”).

4. The Debtors certify that the Confirmed Plan, has been fully consummated and completed, and all payments to the Trustee have been paid. In that regard, Debtors have now made all payments required in the implementation of the Plan as authorized by the Confirmation Order in order to enter the Final Decree and Order of Discharge.

5. The Debtors have previously filed a motion seeking final approval of fees and expenses for counsel for the Debtors, Appraisers and the Cash Flow Consultant for the Debtors. Orders approving these final fee applications have all been entered by the Bankruptcy Court.

6. There are no motions, contested matters or adversary proceedings pending before the Court in this case.

7. On March 27, 2023, David Peake, the Standing Chapter 12 Trustee, filed his Notice of Plan Completion and Eligibility for Discharge Under the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 in this case [Docket #209].

8. On April 3, 2023, David Peake, the Standing Chapter 12 Trustee, filed his Final Report and Accounting in this case [Docket # 212].

9. Attached to this Motion as Exhibit “A” are copies of the Form 423 – Certification About Financial Management Course of Mark L. Abbott [Docket # 214] and Molly Susan Abbott [Docket # 215] with Certificates of Debtor Education attached.

10. Thus, in accordance with Federal Rules of Bankruptcy Procedure 3022, and pursuant to 11 U.S.C. § 1141(d)(5)(A) the Plan has been substantially consummated and the Debtors request that this Court enter a Final Decree and an Order of Discharge and close the case.

WHEREFORE, PREMISES CONSIDERED, the Debtors would request, after notice and hearing, that the Court grant this Motion, enter a Final Decree and an Order of Discharge and close the case.

Respectfully Submitted,

MULLIN HOARD & BROWN, L.L.P.  
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By: /s/ David R. Langston  
David R. Langston, SBN: 11923800  
Southern District Bar No. 9489  
***Attorneys for Debtors, Mark L. Abbott &  
Molly Susan Abbott***

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing Application for Final Decree and Request for Discharge was sent via ECF, email and/or mailed by regular first-class mail, postage prepaid on this the 1<sup>st</sup> day of May, 2023, to the following listed parties in interest:

1. U.S. Trustee's Office  
606 N. Carancahua, Suite 1107  
Corpus Christi, Texas 78476
2. David G Peake  
9660 Hillcroft, Suite 430  
Houston, TX 77096-3856  
*Chapter 12 Trustee*
3. Richard W. Aurich, Jr.  
Office of the Chapter 12 Trustee  
9660 Hillcroft, Ste. 430  
Houston, TX 77096
4. Mark & Susan Abbott  
26351 FM 1595  
Harlingen, TX 78550
5. All parties receiving notice via ECF in this case.
6. All parties listed on the attached mailing matrix.

/s/ David R. Langston  
David R. Langston

Mark & Susan Abbott  
Mark Abbott Farms  
26351 FM 1595  
Harlingen, TX 78550

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P.O. Box 15220  
Wilmington, DE 19886-5220

Cameron County Appraisal District  
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San Benito, TX 78586

Cameron County FSA  
2315 W. Expy 83, Suite 1  
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Cameron County Tax Office  
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Brownsville, TX 78522

Capital Farm Credit  
8122 Expwy 83, Suite A  
Harlingen, TX 78552

CNH Capital  
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Philadelphia, PA 19176-6264

Diversified Financial Services  
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Omaha, NE 68103-2027

Ford Motor Credit  
P.O. Box 650575  
Dallas, TX 75265

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Harlingen Tax Office  
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Harlingen, TX 78551

Internal Revenue Service  
Special Procedures - Insolvency  
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Philadelphia, PA 19101-7346

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